

**BOONE COUNTY  
BOARD OF ZONING APPEALS**

<b>A. Petition Number:</b>	15JA-7-020
<b>B. Applicant:</b>	Sammy and David Coons
<b>C. Identification Number:</b>	005-04370-00
<b>D. Location:</b>	The location of this petition is 9530 West U.S. 136; Jamestown, IN 46147.
<b>E. Parcel Size:</b>	<u>History of Parcel</u> The subject 7.078 acres has never been split since the enacted date of the Boone County Zoning Ordinance. On January 12, 2015 a transfer of ownership by Warranty Deed occurred from Linda Keeton to Jeremy and Cynthia Goodlett.  <u>Ordinance Process</u> As required by Table 2, Authorized Uses, a Single Family Residence is required to receive Board of Zoning Appeals for Special Exception prior to issuance of a Improvement Location Permit (ILP).
<b>F. Land Use and Zoning:</b>	<u>Present Zoning</u> The present zoning classification of this property is General Agricultural (AG).
<b>G. Action Requested:</b>	<u>Special Exception</u> The applicant is seeking a Special Exception for the allowance of constructing a new single family residence in the Agricultural District.
<b>H. History:</b>	<u>History of Application Submittal</u> This is the first time this item has appeared before the Board of Zoning Appeals.
<b>I. Soils:</b>	<u>Boone County Soil and Water Conservation District</u>  <u>Treaty</u> Poorly drained soil with a seasonal high water table. Slow permeability. Responds well to tile drainage.
<b>J. Utilities:</b>	<u>Septic and Well Facilities</u> This site will be provided with septic and well facilities.

**Applicant:** 15JA-7-020

**Date:** May 27, 2015 BZA Meeting

**Petition:** Special Exception for New Single Family Home

**K. Technical Advisory  
Committee Comments:**

This item was reviewed by the (TAC) Technical Advisory Committee on February 25, 2015 and had the following comments:

Boone County Health Department

This office received a set of soil borings dated March 17, 2015 for the proposed lot located at 9530 West U.S. 136 in Jamestown, IN 46071. The soil borings were taken by William Hosteter. In general, the soil borings for this lot are suitable for an in-ground septic system as long as no soil disturbance occurs in the soil borings area between the date of when the borings were taken and the date of when the septic system is installed. Drainage will need to be available for this lot due to the seasonal high water table.

Boone County Surveyors Office

The applicant appeared before the Boone County Drainage Board on April 20, 2015. The Drainage Board reviewed and approved the site location as depicted on the April 8, 2015 Site Plan prepared by Cross County Consulting for the new home.

Boone County Highway Department

Since the location of the proposed driveway cut is on U.S. 136, the applicant will need to receive a formal driveway permit from the Indiana Department of Transportation (INDOT) Crawfordsville District.

Boone County Area Plan Commission

The review of the evaluation criteria for the Special Exception can be found below:

**L. Standard for Evaluation-  
Special Exception:**

**Evaluation Standard -1**

The establishment, maintenance, or operation of the Special Exception will not be detrimental to or endanger the public health, safety, morals or general welfare.

*As indicated by the materials submitted in the Special Exception application and the findings of Technical Advisory Committee (TAC) meeting, APC staff finds the petitioner has demonstrated to APC staff the ability to satisfy the zoning provisions of the Ordinance. The ability to meet the standards of the Ordinance inherently uphold the protection of the police power and pose no threats to endanger the public, health, safety, morals, or general welfare of the community.*

**Evaluation Standard -2**

The Special Exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

*As indicated by the materials submitted in the Special Exception application and the findings of Technical Advisory Committee (TAC), APC staff finds in review of this petition, the application meets the standards of the zoning ordinance and poses no threat to the surrounding properties by the evidence submitted in the application for the future existence of the proposed single family home.*

**Evaluation Standard-3**

The establishment of the Special Exception will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the District.

*The applicant has stated the special exception request is for the establishment of a building lot. In conducting property research on the property, the subject property is located in rural residential area, therefore, the future use of the property for a single residential dwelling will not impede adjacent properties from viable use of the land in the future.*

**Evaluation Standard-4**

Adequate utilities, access road, drainage and other necessary facilities have been or are being provided.

*The applicant has stated in the application, the proposed lot will provide area for on-site septic system and private well.*

**Septic System**

*The Health Department received a set of soil borings dated March 17, 2015 for the proposed lot located at 9530 West U.S. 136 in Jamestown, IN 46071. The soil borings were taken by William Hosteter. In general, the soil borings for this lot are suitable for an in-ground septic system as long as no soil disturbance occurs in the soil borings area between the date of when the borings were taken and the date of when the septic system is installed. Drainage will need to be available for this lot due to the seasonal high water table.*

**Drainage Outlet**

*The applicant has demonstrated a viable drainage outlet for the site and will need to apply for the required Drainage permit. The applicant received Drainage Board Approval on April 20, 2015 for the proposed location of the residential dwelling. The applicant will be required to apply for necessary drainage permit.*

**Access Road**

*The applicant understands formal permit approval must be received from Indiana Department of Transportation (INDOT) Crawfordsville District.*

**Evaluation Standard-5**

Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion on the public roadways.

*Since the proposed residence is adjacent to a State Highway (U.S. 136) the addition of one additional residence will not impair the traffic flow.*

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**M. Staff Analysis:**

**Evaluation Standard-6**

The Special Exception will be located in a district where such use is permitted and all other requirements set forth in the Boone County Zoning Ordinance which are applicable to such use will be met.

*As found in Table 2, Authorized Uses of the Boone County Zoning Ordinance, a Single Family Dwelling is permitted by Special Exception in the Agricultural District, therefore, the applicant has conducted the legal process for allowing a new single family structure in the Agricultural Zoning District.*

Based on the submitted information, Area Plan Staff recommends approval of the Special Exception as presented contingent on the following conditions:

- 1) The applicant shall Sign a Right-to-Farm Agreement;
- 2) The applicant shall Sign a County Drainage Agreement;
- 3) The applicant shall show a 40' wide Agricultural Buffer which borders agricultural practices;
- 4) The Improvement Location Permit (ILP) issuance is subject to Final Technical Advisory Committee (TAC) review;